

SENATE BILL 9030

By Pody

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 8 and Title 58, Chapter 2, relative to
emergency powers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 58-2-101, is amended by adding the following as a new subdivision:

() "Public health emergency" means an occurrence or the imminent threat of an illness or health condition, caused by bioterrorism, epidemic or pandemic disease, or a novel and highly fatal infectious agent or biological toxin, that poses a substantial risk of a significant number of human fatalities or incidents of permanent or long-term disability.

SECTION 2. Tennessee Code Annotated, Section 58-2-101(7), is amended by deleting the language "provided, that natural threats may include disease outbreaks and epidemics;".

SECTION 3. Tennessee Code Annotated, Section 58-2-107(b), is amended by deleting the last two sentences of subdivision (b)(2) and adding the following new subdivisions:

(3) Notwithstanding subdivision (b)(2), the governor shall not:

(A) Declare a state of emergency or issue an executive order in response to a public health emergency that extends for more than fifteen (15) days. Such declaration or order does not become effective unless the speaker of the senate and the speaker of the house of representatives approve the declaration or order;
or

(B) Extend a state of emergency declared or executive order issued without a joint resolution of the general assembly authorizing the extension.

(4) Executive orders or proclamations issued under this section must indicate the nature of the emergency, the area or areas threatened, and the conditions which have brought the emergency about or which make possible its termination. An executive order or proclamation must be promptly disseminated by means calculated to bring its contents to the attention of the general public, and, unless the circumstances attendant upon the emergency prevent or impede such filing, the order or proclamation must be filed promptly with the department of state and in the office of the chief executive officer in each county to which the order or proclamation applies.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.